UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,229	07/29/2003	Maurizio Pilu	1509-426	4757

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER
KIANERSI, MITRA

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>10092007</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-26</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>07292003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____ .
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____ .
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Banitt et al. (US Patent No: 5,963,247)

Claim 1: A method of viewing visual media across a network comprising the steps of: the visual indicator for universal port cards is the display of the ports available on each card. Storing respective local visual media data corresponding to the same visual media on first and second network elements connected to the network; (A system and method for producing recordings of visual images for visualization on a visual display system displaying three dimensional visual images are also disclosed. The system includes primary and secondary visual image sources, a selection unit and a secondary visual image matching unit. The primary visual image source stores primary visual images viewing first scenes. The secondary visual image sources store secondary visual images, each of which views scenes which differ from the first scenes. The selection unit selects at least two secondary visual images from the secondary visual image source such that the secondary visual images are compatible with a primary visual image. The matching unit generally matches the selected secondary visual images with the primary visual image. Col 8, lines 1-15)

ii) Creating derived visual media data from the locally stored visual media data with a processing means of the first network element; (motion creator 276 implements the motion of the primary images P onto the stabilized series of secondary images L and R. Col 15, lines 63-66)

iii) automatically generating a control data set representing the derived visual data
and corresponding to operations to be performed by a processing means to
create the derived visual media data; (It enables the use of computer generated
or animated visual images L and R to be used with real-life primary visual images
P without detracting from the three dimensionality effects of depth and the feeling
of viewer and audience participation. Col 12, lines 31-39)
iv) transmitting the control data set from the first network element to the second
network element via the network; (the transition from the display of the main image
sequence to that of the secondary image sequences. Col 15, lines 17-20)
v) recreating the derived visual data with a processing means of the second
network element by use of the control data set; (Motion creator 276 can be any
unit which transforms a series of stabilized images into one having a motion
defined by a set of motion parameters. Motion detectors, Col 16, lines 5-8)

vi) displaying the local visual media data in accordance with the derived visual
media data upon viewing means of the second network element. ((35)   a
soundtrack (step 303, FIG. 10 is prepared to accompany the visual display such
that its playback through speakers 114 and 116 of system 100 can be employed to
enhance the effect of three dimensionality in general and the feeling of space and
viewer and audience participation in particular. Col 14, lines 44-50)

Claim 2: A method in which the step of creating the derived visual pictorial media
is performed automatically. The synchronization can be done visually or
automatically. (the synchronization can be done visually or automatically).

Claim 3: A method wherein the step of creating the derived visual pictorial data
comprises selecting a portion of the locally stored visual pictorial media data
corresponding to a portion of the visual pictorial media. (Selected secondary
visual images to the timing of a series of primary visual images. The motion
matcher matches the camera motion in the series of selected secondary visual

images to the camera motion of a series of primary visual images. Col 7, lines 25-40)

Claim 4: The method further comprising displaying the portion of the locally stored visual pictorial media upon viewing means of the first network element substantially synchronously with the displaying of step (vi). One of the key novelties of the present invention is that it allows images to be displayed that were not recorded in the precise coordination or synchronization that is required of images that need to be displayed. Col 10, lines 49-52)

Claim 5: A method in which the visual pictorial media data stored on the first and second elements are identical. (The unprocessed secondary visual images L and R are processed by secondary visual image processing apparatus 216 for matching secondary visual images L and R with primary visual image P. col 14, lines 17-30)

Claim 6: The method comprising using visual pictorial saliency techniques to select the portion of the visual pictorial media automatically. Col 7, lines 25-40)

Claim 7: The method comprising including in the automatically generated control data set spatial and temporal locational information detailing a subset of video visual pictorial media. (source 206 can include a library of visual images in the form of pre-prepared computer generated or animated scenes or computer graphic routines for preparing objects such that a custom-made montage can be prepared to match primary visual image P. col 11, 66-67 and col 12, lines 1-13)

Claim 8: The method comprising sharing a rostrum path between the first and second network elements. (It should be understood that "tends to match" entails that the subject matter of visual images L and R shares a logical correlation to the subject matter of visual image P in terms of the nature of features, size of objects, etc. col 11, lines 66-67 and col 12, lines 1-13)

Claim 9: The method comprising transferring visual pictorial media data from the first network element to the second network element prior to step (i), (Fig. 2C

Claim 10: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 11: A visual pictorial media viewing system comprising first and second network elements connected over a network; the first network element (a) storing visual pictorial media data, automatically selecting a portion of the visual pictorial media data, processing said portion of the visual pictorial media data, generating a control data set, element over the network; the second network element receiving the control data set from the first network element, ring a copy of the visual media data processing the received and the visual pictorial media data and displaying an a pictorial image corresponding to the processed visual pictorial media data; the control data set including col 10, lines 49-52 and (a) information relating to the location of said portion within the locally stored copy of the visual pictorial media data col 15, lines 63-66 and(b) processing instructions relating to on generating and display of displaying the pictorial image generated from said portion upon on the display second network element arranged for displaying the pictorial image corresponding to the processed visual pictorial media data. Col 14, lines 44-50)

Claim 12: A visual media viewing system wherein the control data set is smaller than the portion of the visual pictorial media data. (a rather small percentage of the original material that was recorded is present in the edited product, and it was cut and pasted many times until it received it final appearance. Col 15, lines 18-27)

Claim 13: This claim teaches the same limitation as claim 4 and is rejected by the same rational.

Claim 14: A visual media viewing system provided further including a third network element connected to the network, including viewing means and a data store arranged to store said visual pictorial media locally, and the first network element is arranged to transmit the control data set to the third network element such that said

viewing means is arranged to substantially synchronously display (col 10, lines 49-52) a) the portion of the visual pictorial media that are stored locally, with (b) the display of the portion of the visual pictorial media upon the second network element. Col 15, lines 63-66)

Claim 15: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 16: A network element wherein the information contained in the control data set comprises information relating to the location of a portion within the visual pictorial media data and processing instructions relating to a pictorial image corresponding to said portion of the visual media data from the local copy of the visual media stored on the remote network element. Col 8, lines 1-15)

Claim 17: This claim teaches the same limitation as claim 4 and is rejected by the same rational.

Claim 18: A network element wherein the selector is arranged to automatically select a portion of the visual pictorial media data in response to a user selection of a region of a pictorial image formed from the visual pictorial media data. Col 7, lines 25-40)

Claim 19: This claim teaches the same limitation as claim 6 and is rejected by the same rational.

Claim 20: A network element wherein the control data set includes details of transitions between pluralities of automatically selected portions of visual pictorial media. (source 206 can include a library of visual images in the form of pre-prepared computer generated or animated scenes or computer graphic routines for preparing objects such that a custom-made montage can be prepared to match primary visual image P. Col 14, lines 17-30)

Claim 21: A network element wherein the selector is arranged to select the portion of the data in response to a prompt from a remote network element. Col 7, lines 25-40 and col 11, lines 66-67 thru col 12, lines 1-13)

Claim 22: This claim teaches the same limitation as claim 1 and is rejected by the same rational.

Claim 23: This claim teaches the same limitation as claim 16 and is rejected by the same rational.

Claim 24: A program storage device readable by a machine encoding a program of instructions which when operated upon the machine causes the machine to operate as a network element according to claim 15. The program detects the common margin, and solves for the projective transformation that minimizes the discrepancies between this common part in both images. Also see col 15, lines 67-68 and col 16, lines 1-8)

Claim 25: A personal computer comprising a data store for storing visual pictorial media data, an image processor for automatically selecting a portion of the visual pictorial media data, a central processor for generating a control data set including the location of said portion within the visual pictorial media data and Information relating to the processing of the data by the image processor, a network interface card for transmitting the control *data* set, over a network, to a second personal computer having a. locally stored copy of the visual pictorial media data thereon and a screen for synchronously displaying a) a pictorial image corresponding to the portion of the data with the second personal computer. Col 15, lines 17-20, Col 10, lines 49-52, col 14, lines 44-50, col 16, lines 5-8 and control data set)

Claim 26: A personal computer comprising a network interface card for receiving a control data set from a remote personal computer across a network, a data storage device for locally storing visual pictorial media data, a processor for processing the received control data set and the visual pictorial media data processing apparatus or (image processing tools 57),and a screen for displaying

a pictorial image corresponding to the processed visual pictorial media data,
where the received control data, col 7, lines 25-40) including (a) information
relating to location of an automatically selected portion of the visual pictorial
media data col 11, lines 66-67 and col 12, lines 1-13) and b)processing
instructions relating to generating and display synchronously displaying (a) a
pictorial image of said portion from the locally stored visual pictorial media data
upon the screen with col 10, lines 49-52 (b) its display on the remote personal
computer. Col 15, lines 63-66)

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Mitra Kianersi whose telephone number is (571)
272-3915. The examiner can normally be reached on 8:00AM-4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, Jason Cordone can be reached on (571) 272-3933. The
fax phone number for the organization where this application or proceeding is
assigned is 571-273-8300. Information regarding the status of an application
may be obtained from the Patent Application Information Retrieval (PAIR)
system. Status information for published applications may be obtained from
either Private PAIR or Public PAIR. Status information for unpublished
applications is available through Private PAIR only. For more information about
the PAIR system, see http://pair-direct.uspto.gov. Should you have questions
on access to the Private PAIR system, contact the Electronic Business Center
(EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO
Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mitra Kianersi
Dec/14/2007

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145